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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re: Attorney Docket No. Baumgarte 1-6-8

In re application of: Frank Baumgarte, Jianshu Chen, and Christof Faller

Serial No.: 10/045,458  
Filed: 11/07/01  
Matter No.: 992.1013

Group No.: 2644  
Examiner: TBD  
Phone No.: TBD

For: Backwards-Compatible Perceptual Coding of Spatial Cues

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 CFR § 1.56, this is an Information Disclosure Statement (IDS) for the above-captioned U.S. patent application. An IDS Form PTO-1449 listing references is enclosed herewith and forms a part hereof. Submission of references is not an admission that those references are in fact prior art.

Certification Under 37 CFR § 1.704(d)

- ☐ Each item of information contained in this statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of this statement.

Certification Under 37 CFR § 1.97(e)

- ☒ Each item of information contained in this statement was either (1) cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement or (2) not known to any individual designated in § 1.56(c) more than three months prior to the filing of this statement.

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Certification Under 37 CFR 1.8

Date of Deposit 8-12-05

I hereby certify that this paper and any accompanying papers or fees are being deposited with the U.S. Postal Service with sufficient postage as first class mail under 37 CFR 1.8 on the date indicated above and addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Leighann Madeksiak  
(Name of person mailing)

Leighann Madeksiak  
(Signature of person mailing)

Fee Under 37 CFR § 1.97(c)

☐ The fee for submission of this IDS under § 1.97(c) is \$180.00 as set forth in § 1.17(p).

Petition Under 37 CFR § 1.97(d)

☐ This is a petition requesting consideration of an IDS under § 1.97(d). The petition fee for submission of this IDS under § 1.97(d) is \$180.00 as set forth in § 1.17(p).

Provision of Copies of References

☒ A copy of each of the listed references is enclosed herewith and forms a part hereof.

☐ A translation of each of Reference(s)      is enclosed herewith and forms a part hereof.

☒ A copy of the International Search Report from a corresponding PCT application is enclosed herewith.

☐ A copy of the European Search Report from a corresponding EPO application is enclosed herewith.

☐ A copy of the final U.S. office action for U.S. patent application no.                  filed on                  as attorney docket no. (Case name or our ref.).

☐ The above-captioned U.S. patent application is a

- ☐ continuation
- ☐ divisional
- ☐ continuation-in-part

application of U.S. application serial number     , filed on      as Attorney Docket No.     . Each of the listed references was previously cited by or submitted to the Office in the prior application. The above-captioned U.S. patent application relies upon the prior application for an earlier filing date under 35 U.S.C. 120. Pursuant to § 1.98(d), copies of the listed references are not being provided with this IDS.

Authorization to Charge Credit Card Account

☐ Form PTO-2038 authorizing credit card payment in the amount of \$     .

Authorization To Charge Deposit Account

☒ Authorization is given to charge Mendelsohn & Associates, P.C. Deposit Account No. 50-0782 for any fee under § 1.97(c) or § 1.97(d).

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449 form as confirmation that each of the documents has been considered.

Date: 8/12/05  
Customer No. 46900  
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Respectfully submitted,  
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Steve Mendelsohn  
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Enclosures

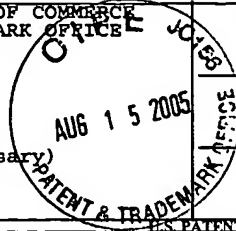
FORM PTO-1449  
(Rev. 2-32)U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

ATTY. DOCKET NO.

SERIAL NO.

INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT

(Use several sheets if necessary)

Baumgarte 1-6-8  
APPLICANT

10/045,458

Frank Baumgarte, Jiashu Chen, and Christof Faller  
FILING DATE GROUP

11/07/01

2644

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
	EA	EP 1 376 538 A1	01/2004	Europe			
	EB	WO 03/090207 A1	10/2003	PCT			

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	EC	"Binaural Cue Coding Applied to Stereo and Multi-Channel Audio Compression," by Christof Faller et al., Audio Engineering Society 112 <sup>th</sup> Convention, Munich, Germany, Vol. 112, No. 5574, May 10 2002, pp.

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.